

REMARKS

Continued examination and favorable reconsideration are respectfully requested.

Claims 1-24 remain pending in this application. Claims 25-27 are withdrawn from consideration and are hereby canceled without prejudice or disclaimer. Claims 1-10 and 18-21 are rejected and claims 11-17 and 22-24 are allowed. By this Amendment, claims 1, 3, 5, 9, 18, and 22 have been amended.

Telephone Conference With Examiner:

Applicants gratefully appreciate the courtesies extended by the Examiner to Applicants' representative during the telephone conference of May 1, 2008. During the telephone conference, Applicants' representative discussed the possibility of replacing the term "valve" with the term "deformable valve," in the rejected claims. It is believed that such a change will overcome the rejection of claims 1-10 and 18-21 under 35 U.S.C. §112, second paragraph. Applicants appreciate the Examiner's indication that such an amendment would overcome the rejection.

Rejection of the Claims Under 35 U.S.C. §112, Second Paragraph:

At page 2 of the Office Action, claims 1-10 and 18-21 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for allegedly failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. The Office Action states the term "valve" as used in claims 1 and 18, is indefinite because the specification allegedly does not clearly define the term "valve". The Office Action further states that the phrase "about the same depth" is indefinite. For the reasons set forth below, this rejection is respectfully traversed.

By the present Amendment, the term "valve" in claims 1, 3, 9, 18, and 22 has been replaced

with the term “deformable valve.” As described in paragraph [0006] of the original specification of the present application, a “deformable valve” is defined and can include a substrate and a cover layer attached to the substrate by a displaceable adhesion material layer disposed between the substrate and cover layer. The term “deformable valve” as used herein, is further described in paragraphs [00023], [00024], [00034], and [00053] of the original specification. Accordingly, the phrase “deformable valve” is clearly defined in the specification.

With regard to the phrase “about the same depth” in claim 5, that phrase has been replaced with the phrase “the same depth” in order to even more clearly define the claimed invention. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

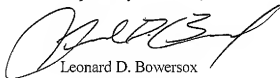
CONCLUSION

In view of the foregoing, Applicants respectfully request favorable reconsideration of the present application and a timely allowance of the pending claims.

Should the Examiner deem that any further action by Applicants or Applicants’ undersigned representative is desirable and/or necessary, the Examiner is invited to telephone the undersigned at the number set forth below.

If there are any other fees due in connection with the filing of this response, please charge the fees to deposit Account No. 50-0925. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such extension is requested and should also be charged to said Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Leonard D. Bowersox', is written over the typed name.

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